

MEMORANDUM

April 27, 1972

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 5/2/72

Petition No. Z-2440

Louis R. Vazza

36 St. Edward Road, East Boston

Petitioner seeks a conditional use permit and a variance for a change of occupancy from one family to five families in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families and meeting at least one half the requirement of lot area for additional dwelling unit is conditional in an R-.8 district.	
Section 14-2.	Lot area for additional dwelling unit is insufficient.	1500 sf/du 1352 sf/du

The property, located on St. Edward Road near the intersection of Saratoga Street, contains a 2½ story brick structure. The submitted plan has no provisions for off street parking facilities. The staff recommends that a suitably screened parking area for the required four cars be supplied on the premises or that the petitioner acquire or lease parking space proximate to the site. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2440, brought by Louis R. Vazza, 36 St. Edward Road, East Boston, for a conditional use and a variance for a change of occupancy from one family to five families in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided that a suitably screened parking area for the required four cars be supplied on the premises or that the petitioner acquire or lease parking space proximate to the site.

Z-2440
36 ST EDWARD ROAD
(E.B.)



Board of Appeal Referrals 4/27/72

Hearing Date: 6/20/72

Petition No. Z-2448
B & B Realty Trust
Edward Tanzer, Trustee
368 Warren Street, Roxbury

Petitioner seeks a variance to erect a one story addition to a retail alcohol package goods store in a general business (B-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 23-4. Off street parking is insufficient.	6 spaces	0 spaces

The property, located on Warren Street at the intersection of Maywood Street in the Model Cities area, contains a one story structure. The proposal will provide additional retail space. There is no objection provided the required parking facilities are supplied within 1,200 feet of the property. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2448, brought by B & B Realty Trust, 368 Warren Street in the Model Cities area, for a variance to erect a one story addition to a retail alcohol package goods store in a general business (B-1) district, the Boston Redevelopment Authority recommends approval provided the required parking facilities are supplied within 1,200 feet of the property.



Board of Appeal Referrals 4/27/72

Hearing Date: 6/20/72

Petition No. Z-2450

Donald Slade

17-31 Radnor Road, Brighton

Petitioner seeks seven variances to erect a $2\frac{1}{2}$ story eight unit apartment structure in a residential (R-.5) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 14-1.	Lot size is insufficient.	2 acres	13,138 sf
Section 14-3.	Lot width is insufficient.	200 ft.	178 ft.
Section 15-1.	Floor area ratio is excessive.	0.5	1.0
Section 16-1.	Height of building is excessive.	2 stories	$2\frac{1}{2}$ stories
Section 17-1.	Open space is insufficient.	1000 sf/du	766 sf/du
Section 18-1.	Front yard is insufficient.	25 ft.	13 ft.
Section 20-1.	Rear yard is insufficient.	40 ft.	15 ft.

The property, located on Radnor Road near the intersection of Foster Street, contains 13,138 square feet of vacant land. The multiple density is inimical to and represents a substantial change in the two family residential character of the neighborhood. Vehicular access and maneuvering area as indicated on the plan are inadequate and inappropriate. The floor area ratio violation is significant. Recommend denial.

VOTED: That in connection with Petition No. Z-2450, brought by Donald Slade, 17-31 Radnor Road, Brighton, for seven variances to erect a $2\frac{1}{2}$ story eight unit apartment structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The multiple density is inimical to and represents a substantial change in the two family residential character of the neighborhood. Vehicular access and maneuvering area as indicated on the plan are inadequate and inappropriate. The floor area ratio is significant.



Z-2450
7-31 RADNOR RD.
(B.R.I.)

Hearing Date: 6/6/72

Petitions Nos. Z-2453-2455
 Star Market Prop. of Cambridge, Inc.
 83-85, 87-89 River & 8-10 Sturbridge
 Streets, Dorchester

Petitioner seeks three forbidden uses and nine variances to combine three contiguous lots for parking without fee in a residential (R-.5) district. The proposal violates the code as follows:

<u>83-85 River Street</u>	<u>Req'd</u>	<u>Proposed</u>
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Section 8-7. A parking lot is forbidden in an R-.5 district.

Section 18-1. Front yard is insufficient. 25 ft. 0

Section 19-1. Side yard is insufficient. 10 ft. 0

Section 20-1. Rear yard is insufficient. 40 ft. 0

87-89 River Street

Section 8-7. A parking lot is forbidden in an R-.5 district.

Section 18-1. Front yard is insufficient. 25 ft. 0

Section 19-1. Side yard is insufficient. 10 ft. 0

Section 20-1. Rear yard is insufficient. 40 ft. 0

8-10 Sturbridge Street

Section 8-7. A parking lot is forbidden in an R-.5 district.

Section 18-1. Front yard is insufficient. 25 ft. 0

Section 19-1. Side yard is insufficient. 10 ft. 0

Section 20-1. Rear yard is insufficient. 40 ft. 0

The property, located on River Street and Sturbridge Street, contains two occupied dwellings on 24,628 square feet of land. It is proposed to demolish these two and three family residences and create a 70 car parking lot for customers and employees of Star Market which is located directly opposite the site. Demolition of these sound structures for a parking lot is contrary to a mayoral policy statement. Four curb cuts to River and Sturbridge Streets would compound an already congested and hazardous traffic pattern. Customers would have to cross River Street, a major arterial between the store and proposed parking. Recommend denial.

Board of Appeal Referrals 4/27/72
Petitions Nos. Z-2453-2455

VOTED: That in connection with Petitions Nos. Z-2453-2455, brought by Star Market Prop. of Cambridge, Inc., 83-89 River and 8-10 Sturbridge Streets, Dorchester, for three forbidden uses and nine variances to combine three contiguous lots for parking without fee in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Demolition of the existing sound two and three family structures is contrary to a mayoral policy statement. Four curb cuts to River and Sturbridge Streets would compound an already congested and hazardous traffic pattern. Customers would have to cross River Street, a major arterial between the store and proposed parking.

Z-2453-55
83-89 RIVER ST
8-10 STURBRIDGE ST.
(DOR.)



Board of Appeal Referrals 4/27/72

Hearing Date: 6/27/72

Petition No. Z-2458

Charles E. Godfrey & Mildred Richenburg
12 Brookfield Street, Roslindale

Petitioner seeks a forbidden use and a variance for a change of occupancy from a two family dwelling to one family dwelling and three offices in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	Professional offices are forbidden in an R-.5 district.	
Section 23-4.	Off street parking is insufficient.	3 spaces 0

The property, located on Brookfield Street at the intersection of Robert Street, contains a two story frame structure. A portion of the first floor is already utilized as a professional office. The proposed non conformity with attendant on-street business parking would be undesirable in this two family neighborhood. The site is proximate to Roslindale Square where the offices would be conforming and consistent with the business character. Recommend denial.

VOTED: That in connection with Petition No. Z-2458, brought by Charles E. Godfrey & Mildred Richenburg, 12 Brookfield Street, Roslindale, for a change of occupancy from a two family dwelling to one family dwelling and three offices in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The proposed non conformity with attendant on-street business parking would be undesirable in this two family neighborhood. The site is proximate to Roslindale Square where the offices would be conforming and consistent with the general business character.

Z-2458
12 BROOKFIELD ST.
(ROS.)



Board of Appeal Referrals 4/27/72

Hearing Date: 5/16/72

Petition No. Z-2461

Joseph Borelli

Getty Oil Company

530 Western Avenue, Brighton

Petitioner seeks a conditional use and a variance to erect a gasoline service station in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A gasoline service station is conditional in an L-1 district.	
Section 20-1.	Rear yard is insufficient. 20 ft.	14 ft.

The property, located on Western Avenue at the intersection of Birmingham Parkway, contains a one story frame gas station and used car office which would be demolished. It is proposed to erect a one story brick three bay gas service station. One bay would be utilized for Massachusetts Safety inspections. The Allston Civic Association considers the area to have more than adequate gasoline service stations and an additional one at this corner would only further increase traffic congestion. The site could be better utilized for other business purposes. Recommend denial.

VOTED: That in connection with Petition No. Z-2461, brought by Joseph Borelli, 530 Western Avenue, Brighton, for a conditional use and a variance to erect a gasoline service station in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. The area is adequately served by service stations. Another service station would further increase traffic congestion. The site would be better utilized for other business purposes.

Z-2461

530 WESTERN AVE.
(BRI.)



Board of Appeal Referrals 4/27/72

Hearing Date: 7/11/72

Petition No. Z-2462
Dominic DiGianpaolo
1102 Saratoga Street
East Boston

Petitioner seeks two variances to erect a one story addition to a one family dwelling in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 19-1. Side yard is insufficient.	10 ft.	2 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	13 ft.

The property, located on Saratoga Street near the intersection of St. Edward Road, contains a 2½ story frame single family dwelling. The petitioner proposes to demolish an existing rear ell and construct a one story bedroom extension. The side yard violation is existing; the rear yard deficiency will be minimally increased. Recommend approval.

VOTED: That in connection with Petition No. Z-2462, brought by Dominic DiGianpaolo, 1102 Saratoga Street, East Boston, for two variances to erect a one story addition to a one family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The yard deficiencies will not affect adjacent properties.

Z-2462
1102 SARATOGA ST.
(E.B.)



Hearing Date: 5/16/72

Petitions Nos. Z-2463-2464
Garden Realty Trust
Franklyn G. Bill
73-77 Park Drive, Boston

Petitioner seeks two forbidden uses and six variances for a change of occupancy in each of two structures from 23 apartments to 33 apartments in an apartment (H-2) district. The proposal violates the code as follows:

<u>73 Park Drive</u>		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.		
Section 10-1.	Parking not allowed within five feet of side lot line.		
Section 17-1.	Open space is insufficient.	150 sf/du	84 sf/du
Section 23-1.	Off street parking is insufficient.	7 spaces	6 spaces

77 Park Drive

Section 8-7.	A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.		
Section 10-1.	Parking not allowed within five feet of side lot line.		
Section 17-1.	Open space is insufficient.	150 sf/du	84 sf/du
Section 23-1.	Off street parking is insufficient.	7 spaces	4 spaces

The property, located on Park Drive near the intersection of Queensberry Street, contains two four story structures. Ten additional basement apartments would be created in each building. Lack of sufficient off street parking will intensify the existing acute traffic problem. The demand for curb parking far exceeds the limited supply in this congested neighborhood. The proposed basement apartments are undesirable, an unreasonable use of the structure and deficient of necessary light and air. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-2463-2464, brought by Garden Realty Trust, 73 & 77 Park Drive, Boston, for two forbidden uses and six variances for a change of occupancy in each of two structures from 23 apartments to 33 apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends denial. Lack of sufficient off street parking will intensify the existing acute traffic problem. The demand for curb parking far exceeds the limited supply in this congested neighborhood. The proposed basement apartments are undesirable, an unreasonable use of the structure and deficient of necessary light and air.

Z-2463-64
73-77 PARK DRNE
(B.E.)

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Board of Appeal Referrals 4/27/72

Hearing Date: 7/11/72

Petition No. Z-2465
Interfaith Housing Corporation
81-95 Waverly Street, Roxbury

Petitioner seeks two variances to erect a two story eight unit dwelling in a residential (R-.8) district and an apartment (H-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 18-1. Front yard is insufficient.	20 ft.	12 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	17 ft.

The property, located on Waverly Street at the intersection of Blue Hill Avenue in the Model Cities Area, contains 17,807 square feet of vacant land. The proposed two, three and four bedroom low and moderate income units have the sanction of the Model Cities Administration and the Model Neighborhood Board. The staff recommends that the development plans be submitted for design review. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2465, brought by Interfaith Housing Corporation, 81-95 Waverly Street in the Model Cities Area, Roxbury, for two variances to erect a two story eight unit dwelling in a residential (R-.8) district and an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided that the proposed development plans are submitted to the Authority for design review.



Z-2465
81-95 WAVERL
ST. (ROX.)

Board of Appeal Referrals 4/27/72

Hearing Date: 5/2/72

Petition No. Z-2466

Patrick B. Haran
663 Gallivan Boulevard
Dorchester

Petitioner seeks a conditional use, a forbidden use and three variances to legalize the occupancy of a two car repair shop garage and the outdoor storage for display and sale of six secondhand cars in a local business (L-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 6-4.	Non compliance with a former Board of Appeal proviso.	
Section 8-7.	Outdoor sale of new or used motor vehicles is forbidden in an L-.5 district.	
Section 8-7.	A repair garage is conditional in an L-.5 district.	
Section 18-1.	Front yard is insufficient. 15 ft.	0
Section 23-4.	Off street parking is insufficient.	4 spaces 0

The property, located on Gallivan Boulevard near the intersection of Marsh Street, contains a one-story metal building. The two car repair shop garage occupancy was the subject of a 1948 Board of Appeal proviso which terminated in April 1951. However, the facility is still operating. The petitioner now seeks to utilize the remainder of the lot for the sale and storage of used cars. The staff is opposed to the used car expansion but recommends legalization of the repair shop facility only with the following conditions: that there be but one sign and it should be no larger than 1' x 6' as indicated in the original Board of Appeal proviso; that all repair work be performed inside; that the yard be kept free of junk cars; that a fence of sufficient height be erected to screen abutting properties. Recommend denial of used car sales and approval with provisos of repair garage.

VOTED: That in connection with Petition No. Z-2466, brought by Patrick B. Haran, 663 Gallivan Boulevard, Dorchester, for a conditional use, a forbidden use and three variances to legalize the occupancy of a two car repair shop garage and the outdoor storage for display and sale of six secondhand cars in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial of used car sales and approval of two car repair garage with the following provisos: that there be but one sign and it should be no larger than 1' x 6' as indicated in the original Board of Appeal proviso; that all repair work be performed inside; that the yard be kept free of junk cars; that a fence of sufficient height be erected to screen abutting properties.

Z-2466
663 GALLIVAN BLVD.
(DOR.)

GALLIVAN

Board of Appeal Referrals 4/27/72

Hearing Date: 7/18/72

Petition No. Z-2471
Neponset Valley Trust
Terry Cohen
45 Sierra Road, Readville

Petitioner seeks a forbidden use for a change of occupancy from a pool cabana to a pool cabana and rental management office in a single family (S-.5) district. The proposal violates the code as follows:

Section 8-7. A rental office is forbidden in an S-.5 district.

The property, located on Sierra Road near the intersection of Neponset Valley Parkway, contains a 310 unit apartment complex. The pool cabana - rental office is existing. The purpose of this petition is to legalize its use. The staff has no objection provided that the facility is utilized exclusively for the listing of apartments in the complex. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2471, brought by Neponset Valley Trust, 45 Sierra Road, Hyde Park, for a forbidden use for a change of occupancy from a pool cabana to a pool cabana and rental management office in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval provided that the rental management office is utilized exclusively for the listing of apartments in the complex.

Z-2471
45th SIERRA RD.
(H.P.)



Board of Appeal Referrals 4/27/72

Hearing Date: 7/18/72

Petition No. Z-2476

Hyman Gitell

10 Allston Street, Allston

Petitioner seeks two forbidden uses and four variances for a change of occupancy from 12 apartments to 14 apartments and laundromat in an apartment (H-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families and not meeting the requirements of lot area, open space and off street parking is forbidden in an H-1 district.	
Section 8-7.	A self service laundry is forbidden in an H-1 district.	
Section 14-2.	Lot area for additional dwelling unit is insufficient.	1000 sf/du . 0
Section 15-1.	Floor area ratio is excessive.	1.0 2.2.
Section 17-1.	Open space is insufficient.	400 sf/du 205 sf/du
Section 23-7.	Off street parking is insufficient.	3 spaces 0

The property, located on Allston Street near the intersection of Harvard Avenue, contains a four story and basement apartment structure. The violations are substantial. There is no justification to overcrowd the apartment dwelling with additional basement units and laundromat. The proposed conversion does not comply with conditions required for a variance. Recommend denial.

VOTED: That in connection with Petition No. Z-2476, brought by Hyman Gitell, 10 Allston Street, Allston, for two forbidden uses and four variances for a change of occupancy from 12 apartments to 14 apartments and laundromat in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The violations are substantial. There is no justification to overcrowd the apartment dwelling with additional basement units and laundromat. The proposed conversion does not comply with conditions required under Section 7-3 of the code.





Z-2476
10 ALLSTON ST.
(ALLSTON)

Board of Appeal Referrals 4/27/72

Hearing Date: 5/9/72

Petition No. Z-2477
Lebow Realty Trust
Edgar Lebow, Trustee
McDonald's Corporation (Lessee)
58-60 Summer Street, Boston

Petitioner seeks a conditional use for a change of occupancy from a retail store to a restaurant in a general business (B-10) district. The proposal violates the code as follows:

Section 8-7. Sale over the counter of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take out is conditional in a B-10 district.

The property, located on Summer Street between Arch and Otis Streets, contains a four story masonry structure. Street level area would be utilized for kitchen and dining; the second, third and fourth floors will not be occupied. The staff is opposed to the proposed sign which would extend to the top of the second floor windows. Summer Street will be the primary pedestrian link between the South Station development and the retail core. Redesign of the existing building facades requires design review consideration and approval. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2477, brought by Lebow Realty Trust, McDonald's Corporation (Lessee), 58-60 Summer Street, Boston, for a conditional use for a change of occupancy from a retail store to a restaurant in a general business (B-10) district, the Boston Redevelopment Authority recommends approval provided plans for the redesign of existing building facades are submitted to the Authority for design review. The Authority is opposed to the proposed sign which would extend to the top of the second floor windows. Summer Street will be the primary pedestrian link between the South Station development and the retail core.

L-247
58-60 SUMMER ST.
(B, P)

Z-2477

Board of Appeal Referral 4/27/72

Hearing Date: 7/25/72

Petition No. Z-2478
Maurice M. LoVuolo
703 Truman Highway,
Hyde Park

Petitioner seeks a forbidden use to erect a one story repair shop garage in a single family (S-.5) district. The proposal violates the code as follows:

Section 8-7. A repair shop garage is forbidden in an S-.5 district.

The property, located on Truman Highway near the intersection of Fairmount Avenue, contains 15,560 square feet of vacant land. The proposed facility, allowed only in manufacturing and industrial districts, would seriously affect abutting residences and tend to blight the residential - local business nature of the neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-2478, brought by Maurice M. LoVuolo, 703 Truman Highway, Hyde Park, for a forbidden use to erect a one story repair shop garage in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial. The proposed facility, allowed only in manufacturing and industrial districts, would seriously affect abutting residences and tend to blight the residential - local business nature of the neighborhood.

Z-2478

703 TRUMAN HIGHWAY
(H.P.)

